



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 079-16

1035 COYOTE ROAD

MODIFICATIONS

DECEMBER 7, 2016

APPLICATION OF RICK STARNES, ARCHITECT FOR BERRETT FAMILY TRUST, 1035 COYOTE ROAD, APN 021-061-005, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 1 DU/AC) (MST2016-00003).

The 33,977 square-foot site is currently developed with an existing nonconforming 428 square foot one-story workshop/storage building and a detached 65 square foot "as-built" accessory building. The proposed project involves permitting 120 square feet of "as-built" additions to the workshop/storage building (total 428), a change of use of the existing nonconforming workshop/storage building to a single-family residence, demolition of the "as-built" 65 square foot accessory building and construction of a new 361 square foot two-car carport and attached trash enclosure. The proposal will abate violations listed in ENF2015-00314 and ZIR2015-00535. The proposed total of 809 square feet on a 33,977 square foot lot, located within the Hillside Design District, is 18% of the maximum guideline floor to-lot-area ratio (FAR).

The discretionary applications required for this project are:

1. Front Setback Modification to allow the change of use of the existing nonconforming workshop/storage building to residential use and the construction of a new two-car carport to be located within the required 35-foot front setback (SBMC § 28.87.030, and SBMC § 28.92.110).
2. Interior Setback Modification to allow the change of use of the existing nonconforming workshop/storage building to residential use to be located within the required 15-foot interior setback (SBMC § 28.87.030, and SBMC § 28.92.110).

The project requires an environmental finding pursuant to California Environmental Quality Act Guidelines Section 15183.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 01, 2016.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the subject application making the following findings and determinations:

- A. The project qualifies for an exemption from further environmental review under the California Environmental Quality Act Guidelines Section 15183, "Projects Consistent with a Community Plan or Zoning," based on the CEQA certificate of determination on file for this project.
- B. The Front Setback Modification to allow the change in use and new two-car carport within the front setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot due to the existing topography, mature trees, building location, rural nature of the area, and extent of the public right-of-way on this property. In addition, the two-car carport will comply with the residential parking standards to provide two covered spaces and the Single Family Design Board found that the design to be consistent in appearance with the neighborhood and aesthetically appropriate.
- C. The Interior Setback Modification to allow the change of use is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot because of the minor extent of the encroachment of the existing building within the required 15-foot interior setback which is approximately one-foot. The proposal would not result in additional encroachment within the interior setback and would not negatively impact the adjacent neighbor.

II. Said approval is subject to the following conditions:


- A. The surface of the proposed driveway shall meet the requirements of 28.90.001.J.
- B. In order to reduce the potential impacts to the existing slopes, the proposed carport shall not exceed the minimum dimensions as specified by the City's Parking Design Standards and approved by the City's Transportation Division and shall be placed as far away as possible from the existing top of bank noted on the site plan.

This motion was passed and adopted on the 7th day of December, 2016 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Krystal M. Vaughn, Commission Secretary



Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Single Family Design Board (SFDB)** approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.